



MEMBERS:
 Dennis Bjorkquist, Chairperson
 B. Allan O'Shea, Vice-Chairperson
 Colleen Kenny, Secretary

SPECIAL MEETING AGENDA

Wednesday, January 13, 2010
 5:00 P.M.

Manistee County Courthouse
 Board of Commissioners Meeting Room
 415 Third Street, Manistee, MI 49660

- 1) Call to order by the Chairperson.
- 2) Pledge of Allegiance.
- 3) Roll call.
- 4) Approval of Meeting Agenda.
- 5) Approval of the regular meeting minutes from Monday, December 14, 2009.
- 6) Review of correspondence.
- 7) Consideration to approve payment of outstanding invoices:
- 8) Review of financial report.

Total 2% funds received by the County Treasurer:

11/30/99 =	\$ 337,155.00
06/01/00 =	\$ 418,077.00
12/01/00 =	\$ 770,966.49
05/31/01 =	\$ 644,164.97
11/28/01 =	\$ 839,976.85
05/30/02 =	\$ 728,727.53
11/22/02 =	\$ 986,490.63
05/30/03 =	\$ 872,249.88
12/01/03 =	\$1,083,331.66
05/28/04 =	\$ 939,676.94
11/05/04 =	\$1,189,353.37
01/28/05 =	\$ 37,139.00
05/31/05 =	\$ 919,301.62
12/01/05 =	\$1,184,361.59
06/21/06 =	\$1,013,458.47
12/13/06 =	\$1,154,104.36
06/08/07 =	\$ 991,392.41
12/07/07 =	\$1,104,684.17
05/29/08 =	\$ 933,889.32
01/06/09 =	\$ 968,266.28
07/22/09 =	\$ 755,104.24
12/18/09 =	<u>\$ 913,129.21</u>

\$18,785,000.99

ADD: Interest Earnings:

12/01-12/31/99 =	\$ 1,108.43
01/01-12/31/00 =	\$ 18,823.29
01/01-12/31/01 =	\$ 33,676.12
01/02-12/31/03 =	\$ 50,560.83
01/04-12/31/04 =	\$ 21,013.84
01/05-12/31/05 =	\$ 31,347.46

01/06-12/31/06 =	\$ 35,824.17	
01/07-12/31/07 =	\$ 105,910.11	
01/08-04/30/08 =	\$ 40,695.79	
05/01/08-02/28/09 =	\$ 28,923.54	
03/01/09-11/30/09 =	<u>\$ 4,795.95</u>	
		\$372,679.53

LESS: Grant Awards:		
May 8, 2000 =	\$ 297,527.47	
October, 9, 2000 =	\$ 405,173.66	
December 11, 2000 =	\$ 2,257.83	
May 14, 2001 =	\$ 747,246.00	
November 5, 2001 =	\$ 635,405.82	
May 6, 2002 =	\$ 578,616.00	
October 28, 2002 =	\$ 970,410.94	
May 12, 2003 =	\$ 385,480.00	
November 10, 2003 =	\$ 395,185.96	
December 8, 2003 =	\$ 198,773.01	
December 19, 2003 =	\$ 838,983.71	
May 10, 2004 =	\$ 405,517.12	
November 8, 2004 =	\$1,559,776.68	
May 16, 2005 =	\$ 561,450.60	
November 7, 2005 =	\$1,552,976.22	
May 8, 2006 =	\$ 238,820.98	
November 6, 2006 =	\$1,976,342.94	
May 7, 2007 =	\$ 133,488.89	
November 5, 2007 =	\$2,039,267.85	
May 12, 2008 =	\$ 138,086.00	
December 8, 2008 =	\$1,894,835.01	
June 8, 2009 =	\$ 129,436.00	
December 14, 2009 =	<u>\$ 101,261.00</u>	
		(\$16,186,319.69)

ADD: Grant Reimbursement from Bear Lake Township (Check #011745, dated 09/21/07) =	\$236.54
---	----------

ADD: Grant Reimbursement from Village of Eastlake Fire Department (Check #1025, dated 02/14/08) =	\$233.46
--	----------

ADD: Grant Reimbursement from Arcadia Township (Check #8812, dated 09/06/08) =	\$1,055.00
---	------------

ADD: Grant Reimbursement from Bear Lake Township (Check #012231, dated 09/16/08) =	\$4,533.80
---	------------

ADD: Grant Reimbursement from Village of Eastlake (Check #10659, dated 09/11/08) =	\$106.63
---	----------

ADD: Grant Reimbursement from Arcadia Township (Check #9084, dated 4/11/09) =	\$525.00
--	----------

ADD: Grant Reimbursement from Village of Eastlake (Check #11116, dated 9/17/09) =	\$15.13
--	---------

ADD: Grant Reimbursement from Arcadia Township (Check #009371, dated 10/10/09) =	\$114.00
---	----------

ADD: Grant Reimbursement from Cleon Township (Check #13007, dated 10/14/09) =	\$53.00
--	---------

LESS: Administrative Fees and other invoices approved for payment through 01/12/10 =	(\$644,518.41)
---	----------------

ACCOUNT BALANCE AS OF 01/12/10 =**\$2,333,714.98**(Note: Balance does not include interest earnings from 12/01/09 to present.)

**2009 Cycle II ESTIMATED PILT GRANT DISTRIBUTION
BASED ON CURRENT TAXABLE VALUE**

CURRENT ACCOUNT BALANCE = (Includes interest earned through 11/30/09)	\$2,333,714.98
LESS: December 14, 2009 2% Payment from Casino=	(\$913,129.21)
LESS: Approximate amount which will remain in the account for operating expenses =	(\$10,000.00)
ADD: Projected interest earnings 12/01/09 through 02/10 (per County Treasurer) = (\$630 x 3 months)	\$1,890.00
Estimated balance remaining for grant distribution =	<u>\$1,412,475.77</u>
LESS: Estimated P.I.L.T. Grant Obligation paid in February 2010 (Based on current taxable value and reduced by 44.61228%) =	(\$1,416,163.94)
Amount remaining for distribution in the form of "offset", "Other" and additional "public safety" grants =	<u>-\$(\$3,688.17)</u>

(Note: Based on calculations above, the Board will be approximately 44.61228% short of meeting its P.I.L.T. obligation in this cycle. In 2008, the reduction was 28.01%, and in 2007, the reduction was 11.82%.)

- 9) Public Comment.
- 10) Consideration of a proposed amendment to the Manistee Local Revenue Sharing Board bylaws. This amendment was proposed by the Board on Monday, December 14, 2009.

PURSUANT TO ARTICLE 10.1 OF THE CURRENT REVENUE SHARING BOARD BYLAWS TITLED "AMENDMENT";

These Bylaws may be amended at a regular or special meeting by a motion which is adopted by a majority (2) of the quorum. At least ten (10) days prior to the adoption of an amendment, the Board shall provide public notice of the proposed amendment at the locations required for public notice in the Open Meetings Act. The Board shall not amend these Bylaws in a manner which would create a conflict with or cause a violation of the Compact.

TO COMPLY WITH THIS SECTION OF THE BYLAWS, A DRAFT COPY OF THE PROPOSED BYLAW AMENDMENT WAS AVAILABLE FOR PUBLIC REVIEW IN FOUR (4) PUBLIC LOCATIONS SINCE DECEMBER 22, 2009. The specific language of the proposed amendment is subject to change upon review and discussion by the Local Revenue Sharing Board.

CURRENT BYLAW LANGUAGE:

Article IX, Section 8.5.I. Payment in Lieu of Taxes or PILT. Out of the aggregate payments to local units of government, each local unit of government shall receive no less than an amount equivalent to its ad valorem property taxes that would otherwise be attributed to the [Band's] Class III gaming facility if that site were subject to such taxation." Compact 18(A)(4). For purposes of this section the term "Class III gaming facility" shall include: the building(s) which house the Band's gaming operations; any appurtenances; and any contiguous or non contiguous parcel(s) whether owned by the Band or held in trust for the Band by the federal government, which can reasonably be considered a part of or amenity

to the Band's casino operations. The board shall consult with the appropriate assessing agencies and/or reputable valuation experts in determining the estimated taxable value of the Band's Class III gaming facility under this section.

PROPOSED BYLAW DEFINITION CHANGE:

Article IX, Section 8.5.I. Payment in Lieu of Taxes or PILT. Out of the aggregate payments to local units of government, each local unit of government shall receive no less than an amount equivalent to its ad valorem property taxes that would otherwise be attributed to the [Band's] Class III gaming facility if that site were subject to such taxation." Compact 18(A)(4). For purposes of this section the term "Class III gaming facility" shall mean the entirety of the single structure in which the Band offers Class III gaming. For purposes of this definition, different components of the structure need not share a single foundation or contiguous walls and may be connected by doorways or walkways.

A complete copy of the proposed bylaw amendment notice is attached under APPENDIX A.

- 11) Scheduled Meetings (5:00 P.M. at Manistee Co. Courthouse, Board of Commissioners Meeting Room, 415 Third Street, Manistee, Michigan):

Monday, February 10, 2010 (Annual Organizational Meeting pursuant to Section 6.7 of the bylaws)

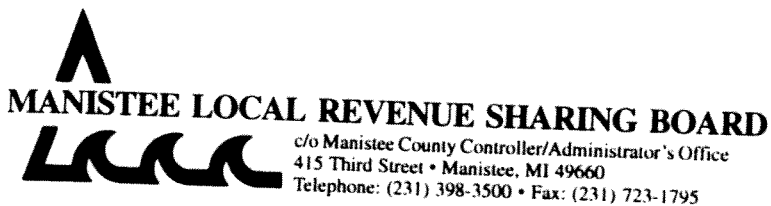
At this time, the Board may also take action to schedule additional Special Board Meetings.

- 12) Miscellaneous Board Member comment.
- 13) Adjournment.

VISIT: www.manisteecountymi.gov

To view calendar of events, meeting minutes, Revenue Sharing Board Grant Application (downloadable version), etc.

[rn h:\revenue sharing\agenda 011310]



(APPENDIX A)

MEMBERS:
Dennis Bjorkquist, Chairperson
B. Allan O'Shea, Vice-Chairperson
Colleen Kenny, Secretary

MEETING NOTICE AND PROPOSED BYLAW AMENDMENT NOTICE

To comply with the Michigan Open Meetings Act 267 of 1976.

The Manistee Local Revenue Sharing Board will hold a special meeting on Wednesday, January 13, 2010, at 5:00 p.m. in the Commissioners' meeting room at the Manistee County Courthouse & Government Center, 415 Third Street, Manistee, Michigan 49660. During this meeting, the Board will consider a proposed amendment to the Bylaws which were originally adopted on December 2, 1999; and amended on January 17, 2000.

PURSUANT TO ARTICLE 10.1 OF THE CURRENT REVENUE SHARING BOARD BYLAWS TITLED "AMENDMENT";

These Bylaws may be amended at a regular or special meeting by a motion which is adopted by a majority (2) of the quorum. At least ten (10) days prior to the adoption of an amendment, the Board shall provide public notice of the proposed amendment at the locations required for public notice in the Open Meetings Act. The Board shall not amend these Bylaws in a manner which would create a conflict with or cause a violation of the Compact.

TO COMPLY WITH THIS SECTION OF THE BYLAWS, A DRAFT COPY OF THE PROPOSED BYLAW AMENDMENT IS LISTED BELOW FOR PUBLIC REVIEW. The specific language of the proposed amendment is subject to change upon review and discussion by the Local Revenue Sharing Board.

CURRENT BYLAW LANGUAGE:

Article IX, Section 8.5.I. Payment in Lieu of Taxes or PILT. Out of the aggregate payments to local units of government, each local unit of government shall receive no less than an amount equivalent to its ad valorem property taxes that would otherwise be attributed to the [Band's] Class III gaming facility if that site were subject to such taxation." Compact 18(A)(4). For purposes of this section the term "Class III gaming facility" shall include: the building(s) which house the Band's gaming operations; any appurtenances; and any contiguous or non contiguous parcel(s) whether owned by the Band or held in trust for the Band by the federal government, which can reasonably be considered a part of or amenity to the Band's casino operations. The board shall consult with the appropriate assessing agencies and/or reputable valuation experts in determining the estimated taxable value of the Band's Class III gaming facility under this section.

PROPOSED BYLAW DEFINITION CHANGE:

Article IX, Section 8.5.I. Payment in Lieu of Taxes or PILT. Out of the aggregate payments to local units of government, each local unit of government shall receive no less than an amount equivalent to its ad valorem property taxes that would otherwise be attributed to the [Band's] Class III gaming facility if that site were subject to such taxation." Compact 18(A)(4). For purposes of this section the term "Class III gaming facility" shall mean the entirety of the single structure in which the Band offers Class III gaming. For purposes of this definition, different components of the structure need not share a single foundation or contiguous walls and may be connected by doorways or walkways.

The Local Revenue Sharing Board will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon two weeks' notice to the Manistee County Administrator. Individuals with disabilities requiring auxiliary aids or services should contact the Local Revenue Sharing Board by writing or calling Thomas D. Kaminski, County Administrator, Manistee County Courthouse, 415 Third Street, Manistee, Michigan 49660; (231) 398-3500.

This notice was posted by Jeri Lyn Prielipp, Finance Assistant, to comply with Sections 4 and 5 of the Michigan Open Meetings Act (P.A. 267 of 1976) on December 22, 2009, at 3:30 P.M. on the bulletin board located in the main Courthouse/lobby entrance of the Courthouse and Government Center, 415 Third Street, Manistee, Michigan 49660; giving notice for a regular meeting, posted at least 18 hours prior to the start of the meeting.

This notice was also posted to comply with Sections 4 and 5 of the Michigan Open Meetings Act (P.A. 267 of 1976), on this 22nd day of December, 2009, on the first floor bulletin board at Manistee City Hall, 70 Maple Street, Manistee, MI 49660; on the bulletin board at the Southeast/main level entrance of the Manistee County Library, 95 Maple Street, Manistee, MI 49660; and on the front door/main entrance to the Manistee Township Hall, 410 Holden Street, Manistee, MI 49660, giving notice for a regular meeting, posted at least 18 hours prior to the start of the meeting.

Signed:

Jeri Lyn Prielipp
Jeri Lyn Prielipp
Finance Assistant